

DECLARATION OF SCOTT BIERWIRTH

I, Scott Bierwirth, declare as follows:

3 1. I am a Special Agent with the Federal Bureau of
4 Investigation ("FBI") in Los Angeles, California. I am currently
5 assigned to a counter-terrorism squad, where I specialize in the
6 investigations of domestic terrorist groups. I attended 21 weeks of
7 New Agent Training at the FBI Academy in Quantico, Virginia. Prior
8 to joining the FBI, I was an Infantry Officer in the United States
9 Army, where I trained for counter-terrorism related missions across
10 the globe for over four years. I have knowledge of the facts set
11 forth herein and could and would testify to those facts fully and
12 truthfully if called and sworn as a witness.

13 2. I am one of the agents assigned to the FBI investigation
14 into Michael Paul Miselis ("defendant") and other individuals
15 associated with the Rise Above Movement ("RAM") who committed acts of
16 rioting at public rallies, including the Unite the Right rally in
17 Charlottesville, Virginia, on August 11-12, 2017. In connection with
18 that investigation, I have reviewed surveillance video from those
19 rallies, as well as reports of investigation regarding the rallies.

20 3. Attached as Exhibit 1 is a true and accurate copy of the
21 California Department of Motor Vehicles profile for defendant.

22 4. Attached as Exhibit 2 is a true and accurate copy of a
23 screenshot from a video taken on or about August 12, 2017, in
24 Charlottesville, Virginia, depicting defendant, as well as co-
25 defendants Benjamin Drake Daley, Thomas Gillen, and Cole White, at
26 the "Unite the Right" rally, as discussed in paragraphs 14, 20, 25,
27 and 26 of the criminal complaint in this case.

5. Attached as Exhibit 3 is a true and accurate copy of a screenshot from a video taken on or about April 15, 2017, in Berkeley, California, depicting defendant at a rally as discussed in paragraphs 14 and 16 of the criminal complaint in this case.

6. I reviewed law enforcement reports of interviews from March and July 2018 in which defendant told law enforcement officers that his address was 4756 West 164th Street, Lawndale, California, 90206. In September 2018, law enforcement officers conducted surveillance and saw defendant at that location on numerous occasions. When law enforcement officers entered defendant's house on October 2, 2018, they found defendant, as well as merchandise related to RAM and its affiliated entity, Right Brand Clothing, and masks with a distinctive skull or skeleton design that appeared to be the same style as those worn by RAM members when posing for pictures and engaging in acts of rioting, as shown in paragraphs 12 and 14 of the criminal complaint in this case.

7. When law enforcement officers encountered defendant at his residence on October 2, 2018, defendant identified himself as Michael Miselis.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration is executed at Los Angeles, California, on October 9, 2018.


SCOTT BIERWIRTH

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